


ORDERED.

Dated: January 05, 2016


Cynthia C. Jackson
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

IN RE:
JOHN DEFEO
COLLEN ELLA-DEFEO,

Case No.:14-04551-CCJ
Chapter 13

Debtors. _____ /

**ORDER GRANTING AMENDED MOTION FOR RELIEF FROM STAY
FILED BY DITECH FINANCIAL LLC F/K/A GREEN TREE SERVICING LLC**

This case is before the Court upon the Amended Motion for Relief from Stay Filed by Ditech Financial LLC f/k/a Green Tree Servicing LLC [D.E. 54], hereinafter referred to as “Movant”. No appropriate response having been filed in accordance with Local Rule 2002-4, it is:

ORDERED:

1. The Motion is GRANTED.
2. The automatic stay imposed by 11 U.S.C. §362 is lifted as to Movant, and it may

proceed with the enforcement of its security interest upon the following property:

**REAL PROPERTY AT 1880 AVENUE Q S.W., WINTER HAVEN, FL 33880, AND
MORE ACCURATELY DESCRIBED BY ITS LEGAL DESCRIPTION WHICH IS:**

THAT CERTAIN CONDOMINIUM PARCEL DESCRIBED AS UNIT NO. A-5, BUILDING #2, (ALSO KNOWN AS UNIT 1880), AND AN UNDIVIDED 1/20TH SHARE IN THE COMMON ELEMENTS APPURTENANT THERETO, ACCORDING TO THE DECLARATION OF CONDOMINIUM OF ADAMSTOWN 1 CONDOMINIUM OF WINTER HAVEN, RECORDED IN O.R. BOOK 1974, PAGES 352 THROUGH 370, INCLUSIVE, AND RELATED DOCUMENTS RECORDED IN CONDOMINIUM BOOK 5, PAGES 8, 9 AND 10 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

3. The order granting relief from stay is entered for the sole purpose of allowing Movant complete *in rem* relief to take any and all steps necessary to exercise any and all rights it may have in the collateral, to gain possession of said collateral, to have such other and further *in rem* relief as is just, and that Movant shall not obtain *in personam* relief against the debtor.

4. The fourteen (14) day stay period as provided by Rule 4001(a)(3) shall not be waived or reduced.

5. That Movant be awarded reasonable attorney's fees, in the amount of \$526.00, for prosecuting this motion.

6. That Movant may send communication to the Debtor in connection with proceeding against the property including, but not limited to, notices required by state law and communications to offer and provide information with regard to potential Forbearance Agreement, Loan Modification, Refinance Agreement, Loss Mitigation Agreement or other Loan Workout and may enter into such agreement with Debtor without violating any Discharge Order.

7. This Order will survive any conversion in the instant case.

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Attorney Evan S. Singer is directed to serve a copy of this order on interested parties and file a proof of service within 3 days of entry of the order.

Order prepared by:
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